

IN THE UNITED STATES DISTRICT COURT FOR THE  
WESTERN DISTRICT OF MISSOURI  
WESTERN DIVISION

MICHAEL P. and SHELLIE GILMOR, )  
et al., )

Plaintiffs, )

vs. )

PREFERRED CREDIT CORP., et al., )

Defendants. )

Case No. 10-0189-CV-W-ODS

ORDER GRANTING MOTION TO STAY ORDER

Countrywide Home Loans, Inc.'s Motion to Stay (Doc. # 298) is granted. Given the interests at stake in Countrywide's claimed privilege and the relatively minor role the fee chart plays in this litigation, the Court believes the prudent course is to delay production to allow Countrywide an opportunity to seek review of the Court's decision regarding the privilege.

The May 20, 2011 Order (Doc. # 291) is stayed in its entirety. Based on its Response, Househlo Realty Corporation is to maintain its possession of the fee chart in the Washington loan file.

The Court emphasizes that discovery should not be delayed while the Writ of Mandamus is being considered. If depositions need to be reopened at some later time to allow questioning of witnesses about the fee chart, that can be done at a later time. The Court will consider how to assess costs if such an eventuality comes to pass.

IT IS SO ORDERED.

DATE: May 31, 2011

/s/ Ortrie D. Smith  
ORTRIE D. SMITH, SENIOR JUDGE  
UNITED STATES DISTRICT COURT